
V. REMARKS

Applicant expresses his appreciation for the Examiner's indication of allowable subject matter in claims 6, 8, 11, 13, 15, 16 and 23. As indicated in the Office Action, these claims would be allowable if rewritten to overcome the objections to claims 6, 8, 11, 13, 15 and 16 under 35 U.S.C. 112, second paragraph and includes all of the features of the base claim in any intervening claims. It is respectfully submitted that the claims have been amended in the manner prescribed by the Office Action. Therefore, claims 6, 8, 11, 13, 15, 16 and 23 are allowable over the applied art.

The drawings are objected to because they fail to comply with 37 C.F.R. 1.83(a). The Examiner asserts that all of the features of claim 1 are not shown in the drawing figures. Claim 1 is canceled and therefore the rejection is now moot and no drawing correction is required. Withdrawal of the objection is respectfully requested.

Claims 2-16 are rejected under 35 U.S.C. 112, second paragraph. The claims are amended to obviate the rejection. Withdrawal of the rejection is respectfully requested.

Claims 21 and 23 are rejected under 35 U.S.C. 112, second paragraph. The Office Action alleges that "the viscous fluid" in line 3 of claim 21 lacks proper antecedent basis. It is respectfully submitted that claim 21 depends from claim 19 and that claim 19 introduces "a viscous fluid". Therefore, there is antecedent basis for the "the viscous fluid" recited in claim 21. The Office Action also states that it is unclear which element is isolated from the chassis. It is respectfully submitted that claim 23, as amended, now clearly reflect that the elastic wall portion and the lid member are isolated from contact with the chassis. Withdrawal of the rejection is respectfully requested.

Claims 17 and 18 are rejected under 35 U.S.C. 102(b) as anticipated by Japan 9147537. The rejection is respectfully traversed.

Japan 537 discloses a chassis for a digital disk drive device having a vibration absorber connected to the chassis without mechanical fasteners.

Claim 17 is canceled and therefore the rejection as applied thereto is now moot.

Claim 18 depends from claim 19 and includes all of the features of claim 19. For reasons discussed below, it is respectfully submitted that claim 19 is allowable over the

applied art. Thus, it is respectfully submitted that claim 18 is allowable at least for the reason claim 19 is allowable as well as for the features it recites.

Withdrawal of the rejection is respectfully requested.

Claims 1-4, 17 and 18 are rejected under 35 U.S.C. 103(a) as unpatentable over prior art Figure 6c in view of Japan 537. The rejection is respectfully traversed.

Figure 6c teaches that a vibration preventing damper 5 is mounted on a mechanical chassis 3 using a mounting screw.

Claim 2 is directed to a mechanical chassis that includes a non-contact reading mechanism for a disc recording medium and a vibration preventing damper attached on the chassis and supported in a floating condition through the vibration preventing damper within a casing. Claim 2 recites that the mechanical chassis includes a resin portion at the vibration preventing damper forming a portion of the chassis. Claim 2 also recites that an opening side end portion made of a resin material of the damper housing is provided with a holder portion in a form of a container opened at one end for inserting a support shaft provided in the casing and an elastic wall portion for reducing floating movement of the support shaft due to elastic deformation in three-dimensional directions and is fixed to said resin portion. Further, claim 2 recites that the vibration preventing damper is formed integrally with the chassis to form a unitary structure of the vibration preventing damper and the resin portion of the chassis.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 2. Specifically, none of the applied art teaches or suggests a mechanical chassis including a resin portion at a vibration preventing damper forming a portion of the chassis. Further, it is respectfully submitted that none of the applied art teaches or suggests that the vibration preventing damper is formed integrally with the chassis to form a unitary structure of the vibration preventing damper and the resin portion of the chassis. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the teachings of the applied art because such combination would not result in the claimed invention. Therefore, it is respectfully submitted that claim 2 is allowable over the applied art.

Claims 3 and 4 depend from claim 2 and include all of the features of claim 2. Claim 18 depends from claim 19 and includes all of the features of claim 19. For the

reasons discussed below, it is respectfully submitted that claim 19 is allowable over the applied art. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons the independent claims are allowable as well as for the features they recite.

Claims 1 and 17 are canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 9, 14 and 19 are rejected under 35 U.S.C. 103(a) as unpatentable over prior art Figure 6c in view of Japan 537 and further in view of Ito (U.S. Patent No. 6,310,853, also cited as WIPO 99/36909). The rejection is respectfully traversed.

Ito teaches a recording medium loading apparatus. The Office Action cites this reference to show that a chassis as a whole is formed of a resin material or a metal material.

As mentioned above, claim 2 is believed to be allowable over prior art Figure 6c in view of Japan 537. Ito fails to cure the deficiencies of these references. As a result, it is respectfully submitted that claim 2 is allowable over the combination of all of these references. Claims 9 and 14 depend from claim 2 and include all of the features of claim 2. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons claim 2 is allowable as well as for the features they recite.

Claim 19 is directed to a vibration preventing damper and chassis assembly that includes a chassis and a vibration preventing damper attached to the chassis as an integral construction without mechanical fasteners. Claim 19 recites that at least a portion of the chassis is fabricated from resin and the vibration preventing damper includes a damper housing having an elastic wall portion formed with an internal agitating sleeve and fabricated from a thermoplastic elastomer, a circumferential wall portion fabricated from resin and integrally formed with the elastic wall portion and a viscous fluid contained in the vibration preventing damper and in contact with the internal agitating sleeve. Claim 19 further recites that the at least resin portion of the chassis is integrally connected to the circumferential wall portion to form a unitary structure with the vibration preventing damper.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 19. Specifically, it is respectfully submitted that the applied art fails to teach or suggest that at least a portion of the chassis is fabricated from resin and that the at least resin portion of the chassis is integrally connected to a circumferential wall portion of a vibration preventing damper fabricated from resin to form a unitary structure with the vibration preventing damper. As a result, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. Thus, it is respectfully submitted that claim 19 is allowable over the applied art.

Withdrawal of the rejection is respectfully requested.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as unpatentable over Japan 537 in view of prior art Figure 6c. The rejection is respectfully traversed.

As mentioned above, claim 1 is canceled and, as a result, the rejection is no longer applicable to claim 1.

As mentioned for the reasons discussed above which relate to identical applied art, it is respectfully submitted that claim 2 is allowable over the applied art.

Claim 3 depends from claim 2 and includes all of the features of claim 2. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reasons claim 2 is allowable as well as for the features it recites.

Withdrawal of the rejection is respectfully requested.

Claims 19-22 are rejected under 35 U.S.C. 103(a) as unpatentable over Japan 537 in view of Ito and prior art Figure 6c. The rejection is respectfully traversed.

As mentioned for the reasons mentioned above relating to the identical applied art, Claim 19 is allowable over prior art Figure 6c in view of Japan 537 and further in view of Ito.

Claims 20-22 depend from claim 19 and include all of the features of claim 19. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons claim 19 is allowable as well as for the features they recite. Specifically, claim 20 recites that the chassis is fabricated from resin, has a through hole formed therethrough and is sized and adapted to receive the damper housing with the

circumferential wall portion of the damper housing connected to the chassis as a unitary structure. For this additional reason, it is respectfully submitted that claim 20 is allowable over the applied art.

Withdrawal of the rejection is respectfully requested.

Claims 1, 2, 4, 5, 7, 9, 10 and 12 are rejected under 35 U.S.C. 103(a) as unpatentable over Furukawa et al. (U.S. Patent No. 6,324,153) in view of prior art Figure 6c and Japan 537. The rejection is respectfully traversed.

Furukawa teaches a disc device having vibration absorbers for use in a small-height structure.

As mentioned above, claim 1 is canceled and therefore the rejection is no longer applicable to claim 1.

Further, it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 2. Specifically, none of the applied art teaches or suggests a mechanical chassis including a resin portion at a vibration preventing damper forming a portion of the chassis. Further, none of the applied art teaches or suggests that the vibration preventing damper is formed integrally with the chassis to form a unitary structure of the vibration preventing damper and the resin portion of the chassis. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the teachings of the applied art because such combination would not result in the claimed invention. Therefore, it is respectfully submitted that claim 2 is allowable over the applied art.

Claims 4, 5, 7, 9, 10 and 12 depend from claim 2 and include all of the features of claim 2. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons claim 2 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Newly-added claims 24-26 also include features not shown in the applied art.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: August 7, 2003

By: 

David T. Nikaido
Reg. No. 22,663

Carl Schaukowitch
Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): Petition for Extension of Time (one month)
Request for Continued Examination

DC129452